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TO: Examiner Sharmila S. Gollamudi / Art Unit 1616 FAX NO: 1 (703) 872-9306

FROM: Christine Kotran for D. Peter Hochberg, Esq. DATE February 6, 2004

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 9

MESSAGE: Re: Berthold U.S. Patent Appln. 09/830,300 / Conf. No. 8251  
THERAPEUTIC SYSTEM CONTAINING AN ACTIVE  
SUBSTANCE...AT LEAST TWO POLYMEROUS LAYERS  
Our Ref. RO0282US.RCE (#90568)

In accordance with Examiner Gollamudi's telephone request about noon today, February 6, 2004, we are faxing our "Reply to Office communication Issued December 8, 2003" that was mailed to the USPTO on December 15, 2003. The document was received at the USPTO on December 18, 2003, as verified by the copy of the stamped post card receipt also submitted herewith.

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PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/830,300
	Filing Date	July 5, 2001
	First Named Inventor	Achim Berthold
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	RO0282US.RCE (#90568)

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard and response to paper dated December 8, 2003
Remarks		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	D. Peter Hochberg; D. Peter Hochberg Co., L.P.A.	
Signature	<i>D. Peter Hochberg</i>	
Date	December 15, 2003	

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Washington, DC 20231 on this date:			
Typed or printed name	Sean Mellino		
Signature	<i>Sean Mellino</i>	Date	December 15, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**CERTIFICATE OF MAILING**

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on the date noted below:

Date: December 15, 2003

Sean Mellino  
Sean Mellino

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Achim Berthold  
Serial No. : 09/830,300 / Conf. No. 8251  
Filing Date : July 5, 2001  
Examiner / Group Art Unit : Sharmila S. Gollamudi / 1616  
Title : Therapeutic System Containing an Active  
Substance for the Application on the Skin which  
Contains at least Two Polymerous Layers  
Attorney File : RO0282US.RCE (#90568)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**Reply to Office communication Issued December 8, 2003**

Dear Sir:

In response to the Office communication issued December 8, 2003, the Applicant submits the corrected portion of the non-compliant Office action response filed on October 30, 2003.